

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

AMAZON.COM, INC. and AMAZON DATA  
SERVICES, INC.,

Plaintiffs,

v.

WDC HOLDINGS LLC dba NORTHSTAR  
COMMERCIAL PARTNERS; BRIAN  
WATSON; STERLING NCP FF, LLC;  
MANASSAS NCP FF, LLC; NSIPI  
ADMINISTRATIVE MANAGER; NOVA  
WPC LLC; WHITE PEAKS CAPITAL LLC;  
VILLANOVA TRUST; CASEY  
KIRSCHNER; ALLCORE DEVELOPMENT  
LLC; FINBRIT HOLDINGS LLC;  
CHESHIRE VENTURES LLC; CARLETON  
NELSON; JOHN DOES 1-20,

Defendants.

CASE NO. 1:20-CV-484-RDA-TCB

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800 HOYT LLC,

Intervening Interpleader  
Plaintiff, Intervening  
Interpleader Counter-  
Defendant,

v.

BRIAN WATSON; WDC HOLDINGS, LLC;  
BW HOLDINGS; LLC,

Interpleader Defendants,

and

AMAZON.COM, INC., and AMAZON DATA  
SERVICES, INC.,

Interpleader Defendants,  
Interpleader Counter-Plaintiffs.

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**PLAINTIFFS' MOTION FOR A PROTECTIVE ORDER  
PROHIBITING THE DEPOSITIONS OF CHRIS VONDERHAAR AND KEITH KLEIN**

Pursuant to Rule 26(c)(1) of the Federal Rules of Civil Procedure, Plaintiffs Amazon.com, Inc. and Amazon Data Services, Inc. (“Plaintiffs”) respectfully moves the Court to grant a protective order to preclude Defendants Carleton Nelson and Cheshire Ventures LLC (“Defendants”) from moving forward with the depositions of two Amazon employees, Chris Vonderhaar and Keith Klein, on the dates for which those depositions were noticed.

Defendants noticed the depositions of Mr. Vonderhaar, Mr. Klein, and 14 others at 11:08 p.m. on Tuesday, February 15, in Washington, DC, without discussing with Amazon the scope, date, or logistics around the depositions. Mr. Vonderhaar’s deposition was noticed for March 1, and Mr. Klein’s was noticed for March 3. Plaintiffs promptly contacted Defendants to advise that Amazon could not confirm the noticed dates and locations, and that the parties would need to work together to confirm mutually feasible details for each deposition. Plaintiffs later advised that Mr. Vonderhaar and Mr. Klein were not available on the dates noticed and offered multiple proposed alternatives, which Defendants rejected. Defendants, instead, continue to maintain that Mr. Vonderhaar and Mr. Klein must be deposed on the dates they unilaterally chose, without consultation with Plaintiffs. Defendants’ unreasonable failure to cooperate to find mutually convenient dates for the depositions, notwithstanding the scheduling conflicts, has forced Plaintiffs to seek this protective order “specifying terms, including time and place . . . for the disclosure or discovery” Defendants seek. Fed. R. Civ. P. 26(c)(1)(B).

The parties are therefore at an impasse with respect to this issue, *see* L. Civ. R. 7(E), and Plaintiffs respectfully move the Court for a protective order precluding Defendants from proceeding with the depositions of Mr. Vonderhaar and Mr. Klein.

Dated: February 28, 2022

Respectfully submitted,

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*Counsel for Plaintiffs Amazon.com, Inc. and Amazon Data Services, Inc*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 28, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I will then send the document and a notification of such filing (NEF) to the following parties via U.S. mail to their last-known address and by email, where noted:

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s/ Michael R. Dziuban

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